

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

<p>ALEX GONZALES SR., ELIZABETH HERRERA, Plaintiffs</p> <p>v.</p> <p>CITY OF AUSTIN, Defendant</p>	§ § § § §	<p>No. 1:22-CV-00655-RP (Lead Case)</p>
<p>JESSICA ARELLANO, Individually and as Next Friend of Z.A., a minor child, Plaintiff</p> <p>v.</p> <p>THE CITY OF AUSTIN, GABRIEL GUTIERREZ, and LUIS SERRATO, Defendants</p>	§ § § § § § § §	<p>No. 1:23-CV-00008-RP</p>
<p>ALEX GONZALES, SR., Individually and as “Next Friend” to minor child Z.A.G. and ELIZABETH HERRERA (aka Elizabeth Gonzales), Individually and as “Next Friend” to minor child Z.A.G., Plaintiffs</p> <p>v.</p> <p>LUIS SERRATO, and GABRIEL GUTIERREZ, Defendants</p>	§ § § § § § § § § §	<p>No. 1:23-CV-00009-RP</p>

ORDER

Before the Court are three discovery motions filed by Plaintiffs, Dkts. 121, 122, 123. The first, Dkt. 121, concerns the City's responses to Requests for Production 30 and 31, and Interrogatories 8 and 9. The second, Dkt. 122, addresses Plaintiffs' attempt to obtain videos of a police-cadet-class reality-tv series (produced by the City) from the City. The third, Dkt. 123, seeks (1) to compel the City to produce additional witnesses for deposition beyond the 10 provided for in Federal Rule of Civil Procedure 30(a), and (2) resolution of the parties' dispute regarding the number of Plaintiffs' proposed 30(b)(6) topics. The District Judge referred the motions to the undersigned for disposition. The Court set the motions for hearing, and after considering the parties' filings, their arguments at the hearing, and the applicable law, the Court announced its rulings, and the reasons for them, on the record. This written order memorializes those rulings.

Dkt. 121 – Plaintiffs' Motion to Compel (RFP Nos. 30, 31; ROG Nos. 8, 9): The Court **GRANTS IN PART AND DENIES IN PART** the motion. The Court **GRANTS** the motion as to RFPs 30 and 31 and **ORDERS** Plaintiffs to provide the City, by 5:00 p.m. on June 21, 2024, a list of up to 25 search terms to be searched across 3 custodians (the Austin Police Department, the Office of Police Oversight, and the Community Police Review Commission). Plaintiffs may designate up to 3 additional custodians, and any such designation must be provided to the City by the same June 21 deadline. The Court **FURTHER ORDERS** the City to produce any responsive, non-privileged documents discovered from these searches to Plaintiffs no

later than 5:00 p.m. on July 12, 2024. The Court **DENIES** the motion as to Interrogatories 8 and 9.

Dkt. 122 – Plaintiffs’ Motion to Compel (122nd Cadet Class Videos): The Court **DENIES** the motion as moot. To the extent necessary, the Court grants leave to Plaintiffs to seek an additional Request for Admission from the City to confirm the authenticity of the most recently produced video.

Dkt. 123 – Plaintiffs’ Motion for Leave and Motion to Compel Depositions: The Court **GRANTS** the motion in its entirety. Regarding the 30(b)(6) deposition(s), the Court **ORDERS** the parties to meet and confer to address the structure and scheduling of the deposition(s) and to file, no later than June 28, 2024, a joint advisory informing the Court of the agreed-upon plan. If disputes remain, then the parties may seek relief through further motion practice in accordance with the Local Rules of the Western District of Texas (though the Court trusts the parties will work cooperatively towards a mutually agreeable solution).

SIGNED June 20, 2024.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE